

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES ALBERT HODGES,

Plaintiff,

v.

MONIQUE DELEON,

Defendant.

Case No. 1:25-cv-00683-BAM

ORDER DENYING MOTION FOR  
SETTLEMENT CONFERENCE

(Doc. 12)

Plaintiff James Albert Hodges, a state prisoner proceeding *pro se* and *in forma pauperis*, initiated this civil action on June 5, 2025. (Doc. 1.)

Currently before the Court is Plaintiff's motion for a settlement conference, filed on October 6, 2025. (Doc. 12.) The motion is deemed submitted. Local Rule 230(l).

As Plaintiff was previously advised, the Court is required to screen complaints brought by prisoners seeking relief against a governmental entity and/or against an officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The Court also screens complaints brought by persons proceeding *pro se* and *in forma pauperis*. 28 U.S.C. § 1915(e)(2). Plaintiff's complaint, or any portion thereof, is subject to dismissal if it is frivolous or malicious, if it fails to state a claim upon which relief may be granted, or if it seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §§ 1915A(b), 1915(e)(2)(B)(ii). The Court has not yet screened Plaintiff's complaint, the action has not been served, and no defendant has appeared. As

1 a result, Plaintiff's motion for a settlement conference is premature. The Court will direct the  
2 United States Marshal to serve Plaintiff's complaint only after the Court has screened the  
3 complaint and determined that it contains cognizable claims for relief against the named  
4 defendant(s). The Court will screen Plaintiff's complaint in due course.

5 Based on the foregoing, Plaintiff's motion for a settlement conference, (Doc. 12), is  
6 DENIED as premature.

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8 IT IS SO ORDERED.

9 Dated: October 7, 2025

/s/ Barbara A. McAuliffe  
10 UNITED STATES MAGISTRATE JUDGE  
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